

# Exhibit 9

## 3505-10

**"HIGHLY CONFIDENTIAL"**

*Juul Labs, Inc. Marketing, Sales Practices & Products Liability Litigation*  
*MDL No. 2913*

**San Francisco Unified School District – Bellwether**

Expert Report of Kurt M. Ribisl, PhD

January 25, 2022

citations for their field and year of publication, demonstrating significant research influence among their peers.

- I have served as an Expert Consultant in litigation against cigarette manufacturers, e-cigarette companies, and websites selling tobacco products. These cases include: *State of North Carolina ex rel. Joshua H. Stein, Attorney General v. JUUL Labs, Inc.*, No. 19 CVS 2885 (Durham Cty. Super. Ct.); *STATE OF MINNESOTA, by its Attorney General, Keith Ellison v. JUUL LABS, INC., et al.*, No. 27-CV-19-19888 (2020); *State of Arizona, ex. rel. Mark Brnovich, Attorney General v. JUUL Labs, Inc.*, No. CV2020-00317; *Florida Office of the Attorney General v. Creative Vape Labs LLC*, No. 2020-CA-005870-0 (2020-2021); *Florida Office of the Attorney General v. Lizard Juice Inc.*, No. 20-002674-CI (2020-2021); *US Department of Justice vs. Philip Morris*, (2014-2020). Over the past four years, I have provided expert testimony in *State of North Carolina ex rel. Joshua H. Stein, Attorney General v. JUUL Labs, Inc.*, No. 19 CVS 2885 (Durham Cty. Super. Ct.) and *Juul Labs, Inc. Marketing, Sales Practices & Products Liability Litigation MDL No. 2913*.
- My fee for this case for review of documents, meetings, writing opinions, and phone calls related to trial and research is billed at the rate of \$700/hour. Deposition and trial appearances are billed at a rate of \$800/hour. My compensation is not dependent on the outcome of this litigation.

## B. Executive Summary

- This report supplements my general expert report dated September 20, 2021, previously served in this litigation, and that general report is expressly incorporated as though set forth herein.
- My role was to (a) review how JUUL Labs, Inc. (hereafter JUUL Labs, JUUL or JLI) and its products negatively impacted the San Francisco Unified School District ("SFUSD" or "District"), (b) assess the spatial distribution of JUUL retailers and their exterior marketing near public schools in San Francisco, and how that impacted the SFUSD, and (c) assess the level of compliance with JUUL's Bulk Purchase Limits program at JUUL retailers located near San Francisco schools, JLI's enforcement of that policy, and how that impacted SFUSD.
- To form the basis of my expert evaluation provided here, I relied on my own expertise, experience, and research in the field of tobacco regulatory science with a focus on the sales and marketing of e-cigarettes and other tobacco products at retail outlets. I have also reviewed the following materials: research literature on the epidemiology of JUUL product use among youth; the negative impact of JUUL upon schools; reports from school districts about how JUUL products adversely impacted their operations; geospatial (GIS) analyses comparing proximity of JUUL retailers to school property boundaries; results of our independently conducted JUUL Bulk Purchase Policy mystery shopping visits; all documents and information referenced in this report; the list of Facts & Data Made Available, Considered and Relied Upon provided with this report; all documents and information referenced in my September 20, 2021 general report served in this litigation; and the list of Facts & Data Made Available, Considered and Relied Upon provided with my September 20, 2021 general expert report and all subsequent supplements to the same. I reserve the right to amend and/or supplement my opinions based on new information and materials, deposition testimony, or discovery that becomes available to me.
- I hold all of the opinions set forth herein to a reasonable degree of professional and scientific certainty and probability.

## C. Epidemiology of JUUL and E-cigarette Use, and Summary of Opinions

- In 2014, the year before JUUL was introduced into the US marketplace, the National Youth Tobacco Use Survey (NYTS) found that 13.4% of High School Students were current e-cigarette users (i.e., used an e-